

**UNITED STATES DISTRICT COURT**

## EASTERN DISTRICT OF TEXAS

ARTAVIAS CHOVAN COLE,

Petitioner,

*versus*

DIRECTOR, TDCJ-ID,

Respondent.



CIVIL ACTION NO. 1:22-CV-429

**MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Artavias Chovan Cole, an inmate confined within the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner challenges a conviction for robbery.

The court previously referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of the court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that a motion for summary judgment filed by petitioner be denied.

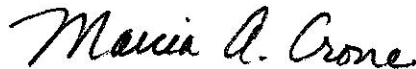
The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Petitioner filed objections to the Report and Recommendation.

The court has conducted a *de novo review* of the objections in relation to the pleadings and the applicable law. After careful consideration, the court is of the opinion the objections are without merit. The magistrate judge correctly concluded petitioner failed to demonstrate there was no genuine issue of material fact and that he is entitled to judgment as a matter of law.

**ORDER**

Accordingly, the objections filed by petitioner (#31) are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge (#30) is **ADOPTED**. The motion for summary judgment (#24) is **DENIED**.

SIGNED at Beaumont, Texas, this 17th day of March, 2025.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE